

ORDINANCE NO. 2020-3771

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, ORDERING A REGULAR MUNICIPAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020, FOR THE PURPOSE OF ELECTING A COUNCILPERSON DISTRICT 1, COUNCILPERSON DISTRICT 6, AND A COUNCILPERSON-AT-LARGE POSITION B; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; AND PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

SECTION 1. The regular municipal election of the City of La Porte, Texas, for election of members of the City Council prescribed by Section 2.03 of the City Charter, shall be held between seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m. on the 2nd day of May 2020, in the city, for the purpose of electing a Councilperson—District 1, a Councilperson—District 6, and a Councilperson-at-large—Position B. A run-off election will be held, if necessary, on June 13, 2020, that day being the second Saturday in June 2020, between seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m.

SECTION 2. The City is hereby divided into six (6) election precincts, corresponding to the boundaries of the six City Council single-member districts. The boundaries of such districts are as established, defined, and outlined in Ordinance 2011-3384. The polling places for these election precincts shall be as follows:

<u>Precinct/District</u>	<u>Polling Location</u>
1, 2, 3, and 6	LPISD's ITC Building, 9832 Spencer Highway, La Porte, 77571
4 and 5	City of La Porte City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, 77571

SECTION 3. This election shall be held in accordance with, and shall be governed by, the election laws of the State of Texas. The City Council has determined, pursuant to Chapter 31 of the Texas Election Code, that the City is authorized to enter into an Election Services Agreement with the La Porte Independent School District (LPISD), and, pursuant to Chapter 271 of the Texas Election Code, the City is authorized to enter into a Joint Election Agreement with LPISD and other participating political subdivisions for this election. The City Secretary and Mayor are hereby authorized to perform all duties and take all actions as required by any election services contract(s) and/or joint election agreement(s) that may be authorized by the City Council.

SECTION 4. Any eligible and qualified person may have his or her name upon the official ballot as an independent candidate by submitting an application, which, in accordance with Texas Election Code Section 141.031, must be in writing and be signed and sworn to by the candidate and indicate that the candidate swears to the application. Such application for the general election may be filed with the City Secretary beginning on January 15, 2020, and must be filed not later than 5:00 p.m. on February 14, 2020.

SECTION 5. Each Councilperson—District 1, Councilperson—District 6, and Councilperson-at-large—Position B shall each be elected by majority vote of all the votes cast for the office for which he or she is a candidate and shall hold office for a period of three (3) years.

SECTION 6. Each candidate for the office of Councilperson-at-large—Position B must be a resident qualified voter of the City for twelve (12) months immediately preceding election day. Each

candidate for the office of Councilperson-District 1 and Councilperson-District 6 must be a resident qualified voter of the City for twelve (12) months immediately preceding election day and must also be a resident of the district for which he or she files for twelve (12) months immediately preceding election day, in accordance with Section 2.02(a) of the City Charter.

SECTION 7. Lee Woodward, City Secretary, is appointed as the Early Voting Clerk, and Sharon Harris, Deputy City Secretary, is appointed as the Deputy Early Voting Clerk, for the joint early voting in person and voting by mail, and the City of La Porte City Hall, City Council Chamber, 604 West Fairmont Parkway, La Porte, Texas, 77571, is hereby designated as the Main Early Voting Location for early voting for the election.

Applications for ballot by mail shall be mailed, faxed, emailed, or delivered by common or contract carrier to:

Lee Woodward, City Secretary
City of La Porte
604 West Fairmont Parkway
La Porte, Texas 77571

Phone: 281-470-5021 Fax: 281-842-3701 Email: CitySecretary@LaPorteTX.gov

The places at which Early Voting by personal appearance shall be conducted are designated as the La Porte City Hall, 604 West Fairmont Parkway, La Porte, Texas, (main early voting polling place), and the Instructional Technology Center (ITC Building), 9832 Spencer Highway, La Porte, Texas, (branch early voting polling place).

During the lawful early voting period, such Early Voting Clerk shall keep such locations for early voting open for early voting from 8:00 a.m. – 5:00 p.m., beginning Monday, April 20, 2020, and continuing through Tuesday, April, 28, 2020, with the exception of Tuesday, April 21, 2020, and Tuesday, April 28, 2020, in which case early voting hours shall be from 7:00 a.m. to 7:00 p.m.

SECTION 8. Voting at said election, including early voting, shall be by the use of voting machines; and the ballots of said election shall conform to the Texas Election Code, as amended. The City Secretary is hereby authorized and directed to obtain, or cause to be obtained, the necessary electronic tabulating equipment, to arrange for the testing thereof as provided by law and to employ a duly qualified manager and a duly qualified tabulation supervisor to perform the duties respectively imposed on them by law with respect to the processing and tabulation of ballots at the Central Counting Station.

SECTION 9. The City Secretary of the City of La Porte shall forthwith issue Notice of said election to be published one time in the *Bay Area Observer*, which is hereby found and declared to be a newspaper of general circulation in said City, not less than ten (10) days nor more than thirty (30) days prior to the date of the said election; in addition, Notice of said election shall be posted on the bulletin board in City Hall not later than the twenty-first (21st) day before election day and remain posted thorough election day.

SECTION 10. The Mayor and/or the City Secretary of the City of La Porte are hereby authorized to execute and/or issue, for and on behalf of the City, such orders, documents, and forms as may, from time to time, be promulgated by the Secretary of State of the State of Texas in conjunction with the election herein ordained.

SECTION 11. Each and every provision, paragraph, sentence and clause of this ordinance has

been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision; and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

SECTION 12. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 13. This ordinance shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED, this 13th day of January, 2020.

CITY OF LA PORTE, TEXAS



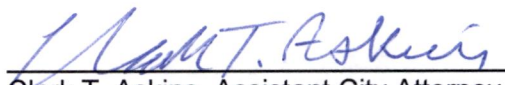
Louis R. Rigby, Mayor

ATTEST:



Lee Woodward, City Secretary

APPROVED AS TO FORM:



Clark T. Askins, Assistant City Attorney